

**PUBLIC VERSION**

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Attorneys for Plaintiff  
VERIGY US, INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

VERIGY US, INC, a Delaware Corporation

Plaintiff,

vs.

ROMI OMAR MAYDER, an individual;  
WESLEY MAYDER, an individual; SILICON  
TEST SYSTEMS, INC., a California Corporation;  
and SILICON TEST SOLUTIONS, LLC, a  
California Limited Liability Corporation,  
inclusive,

Defendants.

Case No. C07 04330 RMW (HRL)

**DECLARATION OF MICHAEL W.  
STEBBINS IN SUPPORT OF VERIGY'S  
MOTION FOR PROTECTIVE ORDER  
RELIEVING VERIGY OF DUTY TO  
RESPOND FURTHER TO SECOND  
AMENDED NOTICE OF RULE 30(b)(6)  
DEPOSITION PROPOUNDED BY  
DEFENDANTS**

Date: September 30, 2008  
Time: 10:00 am  
Ct. rm.: 2, 5th Floor  
Judge: Hon. Howard R. Lloyd

Complaint Filed: August 22, 2007  
Trial Date: None Set

AND RELATED CROSS-ACTIONS

**PUBLIC VERSION OF HIGHLY CONFIDENTIAL – ATTORNEYS EYES ONLY**

**DOCUMENT SUBMITTED UNDER SEAL**

1 I, Michael W. Stebbins, declare as follows:

2 1. I am an attorney licensed to practice law before all of the courts of the State of  
3 California. I am a partner in the law firm of Bergeson, LLP, counsel of record for plaintiff Verigy  
4 US, Inc. ("Verigy") in the above-captioned action. I have personal knowledge of the facts set  
5 forth in this declaration, and, if called to do so, I could and would competently testify thereto. I  
6 submit this declaration in support of Verigy's motion for protective order relieving Verigy of the  
7 obligation to respond to second amended deposition notice of Rule 30(b)(6) propounded by  
8 defendants.

9 2. Attached hereto and incorporated herein by reference as **Exhibit A** is a true and  
10 correct copy of Defendants' Notice of Rule 30(b)(6) Deposition of Verigy, US, Inc., dated  
11 August 4, 2008. During the week of August 4, 2008, I had a conversation with Tim Hale, Esq.,  
12 one of Defendants' counsel, in which I asked him to refine the original 30(b)(6) notice due to its  
13 length, overbreadth and complexity.

14 3. Attached hereto and incorporated herein by reference as **Exhibit B** is a true and  
15 correct copy of Defendants' Amended Notice of Rule 30(b)(6) Deposition of Verigy, US, Inc.,  
16 dated August 7, 2008.

17 4. Attached hereto and incorporated herein by reference as **Exhibit C** is a true and  
18 correct copy of Defendants' Second Amended Notice of Rule 30(b)(6) Deposition of Verigy, US,  
19 Inc., dated August 15, 2008 ("Second Amended Depo Notice").

20 5. Attached hereto and incorporated herein by reference as **Exhibit D** is a true and  
21 correct copy of email threads involving meet-and-confer discussions among counsel concerning  
22 Defendants' Amended and Second Amended Depo Notice.

23 6. Attached hereto and incorporated herein by reference as **Exhibit E** is a true and  
24 correct copy of Verigy's Objection to Defendant STS, Inc. Second Amended Rule 30(b)(6) Notice  
25 of Deposition of Verigy.

26 7. Notwithstanding Verigy's objections and this motion, Verigy has agreed to produce  
27 four (4) separate witnesses as corporate designees on the majority of the topics included in  
28 Defendants' Second Amended Notice and to allow each of those witnesses to be deposed for a

1 full seven (7) hour day. Attached hereto and incorporated herein by reference as **Exhibit F** is a  
 2 true and correct copy of a list of the topics Verigy has agreed to produce witnesses for, along with  
 3 the names of Verigy's corporate designees. Verigy has informed Defendants' counsel of this  
 4 information and its intentions to produce these witnesses for four full days of deposition on  
 5 August 26 through 29, 2008, subject to objections and this motion. However, Defendants have  
 6 asked Verigy to withdraw its objections and to produce witnesses as to all of the topics in the  
 7 Second Amended Depo Notice.

8 8. Defendants have already served numerous interrogatories, some on the same  
 9 subject matter covered in Defendants Second Amended Depo Notice. Aside from other problems,  
 10 the number of those interrogatories, including subparts, exceeds the twenty five (25) permitted by  
 11 this Court as stated in its May 24, 2008 Order after CMC Hearing. Defendant's Silicon Test  
 12 Systems, Inc.'s Second Set of Interrogatories to Plaintiff Verigy US, Inc. [Corrected], dated July  
 13 14, 2008, and Plaintiff Verigy US, Inc.'s Response to Defendant Silicon Test Systems, Inc.'s  
 14 [Corrected] Second Set of Interrogatories, dated August 13, 2008, are attached hereto and  
 15 incorporated herein by reference as **Exhibits G and H**, respectively.

16 9. Attached hereto and incorporated herein by reference as **Exhibit I** is a true and  
 17 correct copy of Plaintiff's Amended CCP § 2019.210 Disclosure.

18 10. Attached hereto and incorporated herein by reference as **Exhibit J** is a true and  
 19 correct copy of Verigy's 30(b)(6) Notice of Deposition of Defendant STS, Inc., dated August 8,  
 20 2008.

21 I declare under penalty of perjury under the laws of the United States of America that the  
 22 foregoing is true and correct and that this declaration was executed this 25th day of August, 2008  
 23 at San Jose, California.

24 /s/  
 25 Michael W. Stebbins  
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 27  
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